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8 || Attorneys for Plaintiffs and the Proposed Class

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 ERIK BARGER, an individual and
14 KIMBERLY McCOY, an individual, on
behalf of themselves and all others similarly
situated

Plaintiffs.

V.

17 EMC MORTGAGE CORPORATION;
18 JPMORGAN CHASE BANK, N.A.; and
JPMORGAN CHASE BANK, N.A., as trustee;

Defendants.

CASE NO.: 3:10-cv-01152-SJ

The Honorable Susan Illston

**[PROPOSED] ORDER DISMISSING
ACTION**

IT IS HEREBY ORDERED that this case is dismissed

22 Plaintiffs' claims are dismissed with prejudice, and the claims of the putative class are
23 dismissed without prejudice and without notice

25 || Dated: December 8 2011

SUSAN ILLSTON
United States District Court